



Ninety-Eighth Legislature - First Session - 2003
Introducer's Statement of Intent
LB 667

Chairperson: Jim Jensen
Committee: Health and Human Services
Date of Hearing: February 5, 2003

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 667 changes various health and human services provisions relating to infectious disease exposures, trainers of services dogs for the disabled, and respiratory care, and outright repeals sections relating to the Community-Based Neurobehavioral Action Plan Act and the Parkinson's Disease Registry Act.

Infectious Disease Exposure

LB 667 amends various provisions within sections 71-507 to 71-513 relating to the reporting of significant exposures to infectious diseases or conditions. See also LB 55 (2003) introduced by Senator Byars.

The bill includes "public safety officials" who are not engaged in activities as an "emergency services provider" within the scope of such sections. Under section 71-510, with respect to any public safety official who believes he or she has had a significant exposure to an infectious disease or condition: (1) the official or his or her employer may request that the person suspected of having the disease or condition consent to diagnostic blood testing, or (2) if consent is refused, to petition the district court for an order mandating such testing.

In the definition of "emergency services provider" in section 71-507, the bill adds the phrase "paid or volunteer" before the term "firefighter." The change clarifies that both paid and volunteer firefighters are included in the term "firefighter" as used in the definition.

The bill adds hepatitis C within the definition of "infectious disease or condition" in section 71-507, and in two other places within section 71-510. The addition expands the kinds of diseases and conditions for which testing may be requested or mandated by the court under sections 71-507 to 71-513.

Trainers of Service Dogs for the Disabled

The bill amends section 20-127 relating to access by disabled persons to "full and equal accommodations, advantages, facilities, and privileges of all common carriers, airplanes, motor vehicles, railroad trains, motor buses, street cars, boats, any other public conveyance or mode of transportation, hotels, lodging places, places of public accommodation, amusement, or resort, and other places to which the general public is invited, subject only to the conditions and limitation established by law and applicable alike to all persons." See also LB 390 (2003) introduced by Senator Aguilar.

Section 20-127(3) confers a right upon a totally or partially blind person to be accompanied by a dog guide, a hearing-impaired person to be accompanied by a hearing aid dog, and a physically disabled person to be accompanied by a service dog in any of the places listed in section 20-127(2) without having to pay an extra charge for such dog. Such disabled persons are also liable for any damages done to premises or facilities by such dogs.

LB 667 confers the same rights and liabilities upon trainers of such dogs. Anyone who interferes with rights granted under sections 20-127 and 20-131.01 is guilty of a Class misdemeanor.

Respiratory Care

The bill provides an exception from respiratory care licensure provisions for “the performance of oxygen therapy or the initiation of noninvasive positive pressure ventilation by a registered polysomnographic technologist relating to the study of sleep disorders, if such procedures are performed or initiated under the supervision of a licensed physician at a facility accredited by the American Academy of Sleep Medicine.”

Brain Injury and Parkinson’s Disease Registry

The bill outright repeals obsolete provisions of the Community-Based Neurobehavioral Action Plan Act and repeals section 81-6,110 to remove a termination date of June 30, 2003 for the Parkinson’s Disease Registry Act.

Principal Introducer:

Senator Jim Jensen